

File No. 231269

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date: January 29, 2024

Board of Supervisors Meeting: _____

Date: _____

Cmte Board

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- Public Works Order No. 208839 – December 12, 2023
- Series 2 Offers of Improvements
- TIDA Resolution Nos. 23-29-1011, 23-31-1108, and 23-32-1108
- November 8, 2023
- Planning General Plan Letters – November 1, 2023
- Committee Report Request Memo – January 25, 2024
- _____
- _____
- _____

Prepared by: John Carroll

Date: January 25, 2024

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

1 [Treasure Island/Yerba Buena Island - Ferry Terminal and Other TIDA Improvements]

2 **Ordinance acknowledging the Treasure Island Development Authority’s (the**
3 **“Authority” or “TIDA”) acceptance of certain improvements on portions of Yerba**
4 **Buena Island and Treasure Island, including ferry terminal improvements, and the**
5 **Authority’s acceptance of the improvements for maintenance and liability purposes;**
6 **dedicating improvements to public use; adopting findings under the California**
7 **Environmental Quality Act; making findings of consistency with the General Plan, and**
8 **the eight priority policies of Planning Code, Section 101.1; and adopting a Public**
9 **Works Order that recommends acceptance of these improvements and related actions,**
10 **as defined herein.**

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

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

19 Section 1. Findings.

20 (a) The City and County of San Francisco (the “City”) created the Treasure Island
21 Development Authority (the “Authority” or “TIDA”) in 1997 to serve as the entity responsible for
22 the reuse and development of Naval Station Treasure Island, which encompasses Treasure
23 Island (or “TI”) and portions of Yerba Buena Island (or “YBI”).

24 (b) On June 28, 2011, the Authority and Treasure Island Community Development,
25 LLC (“Developer”) entered the Disposition and Development Agreement (the “Treasure

1 Island/Yerba Buena Island DDA” or “DDA”). On the same date, the City and Developer
2 entered a Development Agreement (the “DA”). The Board of Supervisors approved the DA in
3 Ordinance No. 95-11, Clerk of the Board of Supervisors File No. 110226. Ordinance No. 95-
4 11 and related DA documents and approvals are on file with the Clerk of the Board and
5 incorporated by reference in this ordinance.

6 (c) The DA, DDA, and the Special Use District in Planning Code Section 249.52
7 contemplate a project (the “Project”) on Treasure Island and Yerba Buena Island that includes
8 up to 8,000 units of housing, 140,000 square feet of commercial and retail space, 100,000
9 square feet of office space, and up to approximately 300 acres of parks and open space, a
10 ferry terminal, new and upgraded streets, and extensive bicycle, pedestrian, and transit
11 facilities. Under the DA, the DDA, the Special Use District, and related Project documents,
12 Developer is responsible for construction of public improvements within the Project, and the
13 Authority or the City, as applicable, will accept and maintain the public improvements when
14 the Developer completes them in accordance with City-approved plans and specifications.

15 (d) The DDA contemplates that the Developer or its permitted assignees will complete
16 certain public improvements on behalf of the Authority and offer those improvements for
17 dedication to the Authority, and that the Authority will dedicate the improvements to public use
18 and accept them for purposes of maintenance and liability. Treasure Island Series 1, LLC,
19 and Treasure Island Series 2, LLC, constructed certain improvements on TIDA-owned land.
20 These public improvements include the following: (1) ferry terminal improvements
21 (collectively, the “Ferry Terminal Improvements,” for which the Department of Building
22 Inspection (“DBI”) issued certificates of completion and occupancy through December 29,
23 2022 for Permit Nos. 2022.0518.4539, 2022.0518.4538, 2022.0518.4537, 2022.0518.4545,
24 2022.0518.4536, 2022.0518.4543, and 2022.0518.4541); (2) various TIDA improvements that
25 include: (i) the Bruton Street extension, causeway improvements, and a retaining wall

1 adjacent to Seven Seas Avenue and the Job Corps property on TI; and (ii) Northgate Road (a
2 publicly accessible private street), Signal Road (a dedicated public street), a private service
3 maintenance road accessing potable water tanks, retaining walls adjacent to Macalla Road
4 and Yerba Buena Road, and two stormwater gardens on YBI (collectively, the “TIDA
5 Improvements” constructed pursuant to Street Improvement Permit Nos. 181I-0330, 18IE-
6 0941, 2218-0277, and DBI Permit No. 2017.0630.0838.R2); and (3) other improvements that
7 encroach on portions of Avenue of the Palms, Bruton Street, Clipper Cove Avenue, Cravath
8 Street, Garden Walk, Johnson Street, Seven Seas Avenue, Trade Winds Avenue, and
9 Treasure Island Road on Treasure Island; Macalla Road, Signal Road, Treasure Island Road,
10 and Yerba Buena Island Road on Yerba Buena Island (collectively, the “TIDA
11 Encroachments”). The TIDA Encroachments also will be the subject of future Board of
12 Supervisors legislation under Public Works Code Sections 786 et seq. to approve these
13 Encroachments along with Developer encroachments. This ordinance collectively refers to all
14 these improvements as “Authority Assets”.

15 (e) In a companion ordinance, the Board of Supervisors will consider various actions
16 and acknowledgements regarding acceptance of certain public infrastructure for City
17 maintenance and liability, including portions of public streets on both Treasure Island and
18 Yerba Buena Island on which TIDA Encroachments are located, electrical switchyard
19 improvements on Treasure Island, and potable water tanks on Yerba Buena Island. The
20 companion ordinance is on file with the Clerk of the Board of Supervisors in File No. 231245
21 and incorporated herein by reference.

22 (f) In Public Works Order No. 208838, dated December 12, 2023 (the “PW Order”), the
23 City Engineer certifies and the Public Works Director (the “PW Director”) determines that: (1)
24 the Authority Assets are located on TIDA-owned property; and (2) Treasure Island Series 1,
25 LLC and Treasure Island Series 2, LLC (both affiliates of Developer) irrevocably offered the

1 Authority Assets to the Authority as set forth in portions of approximately 65 Irrevocable Offers
2 of Improvements (about 35 related to Treasure Island and 30 related to Yerba Buena Island),
3 starting on March 22, 2018 and recorded April 19, 2018 and thereafter (collectively, the
4 “Offers”). In addition, the PW Order confirms that Public Works inspected the TIDA
5 Improvements and TIDA Encroachments under Public Works permitting jurisdiction,
6 determined them to be complete, and certified that these improvements were constructed in
7 accordance with the Public Works Plans and Specifications and all applicable City codes,
8 regulations, and standards; and determined that the TIDA Improvements and TIDA
9 Encroachments are ready for their intended use. The PW Order acknowledges that the
10 Department of Building Inspection (“DBI”) reviewed and approved the Ferry Terminal
11 Improvements and other TIDA Improvements under DBI permitting jurisdiction, determined
12 these improvements to be complete, and issued final certificates of completion and occupancy
13 finding that the Ferry Terminal Improvements and other TIDA Improvements were constructed
14 in accordance with all applicable City codes, regulations and standards. A copy of the PW
15 Order is on file with the Clerk of the Board of Supervisors in File No. 231269 and is
16 incorporated herein by reference.

17 (g) In the PW Order, the PW Director also recommends that the Board of Supervisors:
18 (1) acknowledge the Authority’s acceptance of ownership of the Authority Assets, which
19 comprise the Ferry Terminal Improvements, TIDA Improvements, and TIDA Encroachments
20 as defined above; (2) acknowledge the Authority’s acceptance of the Authority Assets for
21 maintenance and liability; and (3) dedicate the Authority Assets to public use.

22 (h) In a letter dated November 1, 2023, the Planning Department found that the public
23 dedication of the Authority Assets and other actions set forth in this ordinance are within the
24 scope of the Project’s final environmental impact report prepared under the California
25 Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) and

1 are, on balance, in conformance with the General Plan and the eight priority policies of
2 Planning Code Section 101.1. A copy of the Planning Department letter is on file with the
3 Clerk of the Board of Supervisors in File No. 231269.

4 (i) On October 11, 2023, at a duly noticed public hearing, the Authority, in Resolution
5 No. 23-29-1011, took various actions related to acceptance of the TIDA Improvements,
6 including Signal Road (a dedicated public street), for Authority ownership and maintenance
7 and liability responsibility and recommended that the Board of Supervisors publicly dedicate
8 the TIDA Improvements and acknowledge and approve the Authority actions.

9 (j) On November 8, 2023, at a duly noticed public hearing, the Authority, in Resolution
10 No. 23-31-1108, took various actions related to acceptance of the Ferry Terminal
11 Improvements for Authority ownership and maintenance and liability responsibility and
12 recommended that the Board of Supervisors publicly dedicate the Ferry Terminal
13 Improvements and acknowledge and approve the Authority actions.

14 (k) Also on November 8, 2023, as part of a separate matter related to City streets on
15 Treasure Island and Yerba Buena Island, the Authority, in Resolution No. No. 23-32-1108,
16 took various actions related to acceptance of the TIDA Encroachments for Authority
17 ownership and maintenance and liability responsibility and recommended that the Board of
18 Supervisors publicly dedicate the TIDA Encroachments and acknowledge and approve the
19 Authority actions. The three abovementioned Authority Resolutions are on file with the Clerk
20 of the Board of Supervisors in File No. 231269 and are incorporated herein by reference.

21
22 Section 2. Adoption of Findings and Recommendations for the Authority Assets.

23 (a) The Board of Supervisors adopts as its own the CEQA findings and the General
24 Plan consistency findings, including the eight priority findings of Planning Code Section 101.1,
25

1 in the Planning Department letter in connection with the Board of Supervisors public
2 dedication of the Authority Assets and other actions set forth in this ordinance.

3 (b) The Board of Supervisors adopts PW Order No. 208838, including the City
4 Engineer's certification and PW Director's recommendations concerning the Authority's
5 acceptance of the Offers, and other actions set forth in Section 1(f) and (g) of this ordinance,
6 and adopts these recommendations and other actions as its own.

7 (c) The Board of Supervisors adopts the recommendations in the Authority's
8 Resolution Nos. 23-29-1011, 23-31-1108, and 23-32-1108 regarding the Authority Assets.

9
10 Section 3. Acknowledgement of the Authority's Acceptance of the Authority Assets and
11 Assumption of Maintenance and Liability Responsibilities and Board Dedication of the
12 Authority Assets for Public Use.

13 (a) Pursuant to Administrative Code Sections 1.51 et seq. and PW Order No. 208838,
14 the Board of Supervisors hereby acknowledges the Authority's jurisdiction over the Authority
15 Assets, and, to the extent necessary, delegates to the Authority the power to accept
16 ownership of the Offers as they relate to the Authority Assets and maintenance and liability
17 responsibility for the Authority Assets.

18 (b) The Board of Supervisors also dedicates the Authority Assets to public use.

19 (c) The Board of Supervisors acknowledgement of the Authority's acceptance of the
20 Authority Assets for Authority maintenance and liability is subject to the conditions listed in
21 Section 3(d) and (e).

22 (d) The Board acknowledges that the Authority's acceptance is for the Authority Assets
23 only, excluding any private encroachments that are permitted, not permitted, or both.

24 ///

25 ///

1 (e) The Board of Supervisors acknowledges TI Series 1 and TI Series 2 conditional
2 assignment of all warranties and guaranties to the Authority related to the Authority Assets.

3
4 Section 4. Authorization for Implementation. The Mayor, Clerk of the Board of
5 Supervisors, the PW Director, and the Authority's Executive Director are hereby authorized
6 and directed to take any and all actions which they or the City Attorney may deem necessary
7 or advisable to effectuate the purpose and intent of this ordinance, including, but not limited
8 to, the filing of this ordinance in the Authority's Official Records.

9
10 Section 5. Effective Date. This ordinance shall become effective 30 days after
11 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
12 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
13 of Supervisors overrides the Mayor's veto of the ordinance.

14
15 APPROVED AS TO FORM:
16 DAVID CHIU, City Attorney

17 By: /s/ JOHN D. MALAMUT
18 JOHN D. MALAMUT
19 Deputy City Attorney

20 n:\legana\as2023\2400019\01727676.docx

REVISED LEGISLATIVE DIGEST

(Substituted – January 9, 2024)

[Treasure Island/Yerba Buena Island - Ferry Terminal and Other TIDA Improvements]

Ordinance acknowledging the Treasure Island Development Authority’s (the “Authority” or “TIDA”) acceptance of certain improvements on portions of Yerba Buena Island and Treasure Island, including ferry terminal improvements, and the Authority’s acceptance of the improvements for maintenance and liability purposes; dedicating improvements to public use; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting a Public Works Order that recommends acceptance of these improvements and related actions, as defined herein.

Existing Law

The Board of Supervisors created the Treasure Island Development Authority (the “Authority”) in 1997 to serve as the entity responsible for the reuse and development of Naval Station Treasure Island, which encompasses Treasure Island and portions of Yerba Buena Island. In 2011, the Authority and Treasure Island Community Development, LLC (“Developer”) entered a Disposition and Development Agreement for development of the Islands and the Board of Supervisors and Developer entered a Development Agreement (“DA”) for the same purpose. The Board of Supervisors approval of the DA, related legislation, and subsequent agreements between the Authority and the City established a process by which the Developer would construct specified public improvements. In addition, based on these procedures, only the Authority would accept ownership of certain Developer-constructed improvements, such as the Treasure Island ferry terminal, and accept these improvements for maintenance and liability responsibility. These particular public improvements are referred to as “Authority Assets”. In the case of Authority Assets, the adopted procedures require both the City and Authority to dedicate the improvements to public use.

Amendments to Current Law

In this legislation, the Board of Supervisors would address the Authority’s jurisdiction over the following Authority Assets: (1) ferry terminal improvements; (2) various Authority improvements that include: (i) the Bruton Street extension, causeway improvements, and a retaining wall adjacent to Seven Seas Avenue and the Job Corps property on TI; and (ii) Northgate Road (a publicly accessible private street), Signal Road (a dedicated public street), a private service maintenance road accessing potable water tanks, retaining walls adjacent to Macalla Road and Yerba Buena Road, and two stormwater gardens on YBI (collectively, the “TIDA Improvements”); and (3) other improvements that encroach on various dedicated public streets (collectively, the “TIDA Encroachments”). The Board ordinance would acknowledge that the Authority has accepted the Authority Assets as public improvements and accepted

FILE NO. 231269

maintenance and liability responsibility for these Assets. The legislation also would dedicate the Authority Assets to public use. This ordinance would make certain findings, including environmental findings and findings that the legislation is consistent with the General Plan and the eight priority policy findings of the Planning Code Section 101.1.

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San Francisco Public Works
General – Director’s Office
49 South Van Ness Ave., Suite 1600
San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 208838

Recommending that the San Francisco Board of Supervisors acknowledge the Treasure Island Development Authority (“TIDA”) formal acceptance of irrevocable offers of public improvements associated with TIDA improvements within TIDA streets and private service roads and in TIDA open space areas (“TIDA Improvements”) and the Treasure Island Ferry Terminal (“Ferry Terminal Improvements”) and associated dedication of these Improvements for public use and acceptance of these Improvements for TIDA maintenance and liability purposes.

WHEREAS, the CITY AND COUNTY OF SAN FRANCISCO (“City”), TIDA, and TREASURE ISLAND COMMUNITY DEVELOPMENT, LLC, a California Limited liability company (“TICD”), entered into that certain Public Improvement Agreement (Yerba Buena Island), dated for reference purposes as of March 29, 2018, as amended (hereinafter “YBI PIA”) and that certain Public Improvement Agreement (Treasure Island – Sub-Phase 1B, 1C, & 1E Improvements), dated for reference purposes as of September 7, 2018, as amended (hereinafter “TI PIA”);

WHEREAS, TICD assigned the YBI PIA and the TIA PIA to Treasure Island Series 1, LLC (“TIS1”), which is also a partial assignee of the Disposition and Development Agreement for the Treasure Island / Yerba Buena Project (“DDA”) as defined therein (“Project”);

WHEREAS, The TIDA Improvements, including the Bruton Street extension, causeway improvements, a retaining wall adjacent to Seven Seas Avenue and the Job Corps property on Treasure Island; and Northgate Road, Singla Road, a maintenance road accessing the water tanks, retaining walls adjacent to Macalla Road and Yerba Buena Road, and two stormwater gardens located on Yerba Buena Island, and the Ferry Terminal Improvements are located on TIDA-owned real property on Yerba Buena Island and on Treasure Island;

WHEREAS, TIS1 irrevocably offered the TIDA Improvements to TIDA as set forth in the Irrevocable Offers of Dedication dated, March 22, 2018, July 20, 2018, and October 5, 2023 (“TIS1 Offers”); and

WHEREAS, Treasure Island Series 2, LLC (“TIS2”) an affiliate of Developer, irrevocably offered the Ferry Terminal Improvements to TIDA as set forth in the Irrevocable Offer of Dedication dated October 26, 2023 (“TIS2 Offer”); and

WHEREAS, Public Works completed inspection of the TIDA Improvements and the City Engineer, by issuance of a Conditional Notice of Completion, determined the TIDA Improvements to be complete in substantial conformity with the approved plans, specifications, and applicable City regulations governing the TIDA Improvements and further determining that the TIDA Improvements are ready for their intended use by issuance of Conditional Notices of Completion dated February 3, 2023, July 17, 2023, September 22, 2023, and September 28, 2023; and

WHEREAS, In regard to the Ferry Terminal Improvements the Department of Building Inspection (“DBI”) issued Permit Nos. 2022.0518.4539, 2022.0518.4538, 2022.0518.4537, 2022.0518.4545, 2022.0518.4536, 2022.0518.4543, and 2022.0518.4541. DBI subsequently issued multiple certificates of completion and occupancy on June 21, 2022, June 28, 2022, and December 29, 2022 that cover all of the DBI permits referenced above; and

WHEREAS, TIDA issued a Conditional Notice of Completion dated May 25, 2023, in which TIDA determined the Ferry Terminal Improvements to be complete in substantial conformity with the approved plans, specifications, and applicable City regulations governing the Ferry Terminal Improvements and further determining that the Ferry Terminal Improvements are ready for their intended use; and

WHEREAS, Pursuant to the Memorandum of Agreement Regarding Ownership and Maintenance of Public Improvements on Treasure Island by and between TIDA and the City dated April 26, 2017 (“City/TIDA MOU”) action of both the TIDA Board of Directors and the Board of Supervisors is required for TIDA to accept the TIDA Improvements and the Ferry Terminal Improvements; and

WHEREAS, The Public Works Director (hereinafter “Public Works Director” or “Director”) recommends, and the City Engineer certifies, to the Board of Supervisors and the TIDA Board that the TIDA Improvements as shown in Street Improvement Permit Nos. 181I-0330, 18IE-0941, 2218-0277, and DBI permits referenced above should be accepted for public use by TIDA. Public Works further recommends that the Board of Supervisors acknowledge TIDA’s acceptance of the TIDA Improvements and the Ferry Terminal Improvements for maintenance and liability subject to the warranty requirements of the YBI PIA and the TI PIA; and

WHEREAS, In letters dated November 1st, 2023, the Department of City Planning determined that the acceptance of the various TIDA improvements, including the Ferry Terminal, and associated actions are, on balance, in conformity with the General Plan and Planning Code Section 101.1; and

WHEREAS, Public Works recommends that the Board of Supervisors find that the actions specified in this Order are consistent with the General Plan and Planning Code Section 101.1 for the reasons set forth in the Planning Department letter dated November 1, 2023; and

WHEREAS, Public Works recommends that for purposes of these same actions, the Board of Supervisors rely on the environmental findings under the California Environmental Quality Act in the abovementioned Planning Department letter; and

WHEREAS, Public Works also recommends that the TIDA Board adopt these same findings set forth in this Order and the Planning Department letter in regard to its actions related to these public improvements; and

NOW THEREFORE BE IT ORDERED THAT,

The Director approves all of the following documents either attached hereto or referenced herein:

1. Irrevocable Offers of Improvements to TIDA of the TIDA Improvements;
2. Irrevocable Offer of Improvements to TIDA of the Ferry Terminal Improvements; and
3. Ordinance No. _____ acknowledging TIDA's acceptance of the TIDA Improvements and the Ferry Terminal Improvements for maintenance and liability purposes.

The Director recommends that the TIDA Board take various actions related to the TIDA Improvements as set forth in the City/TIDA MOU, including accepting Offers of Improvements and dedicating and accepting said Improvements.

The Director also recommends that the Board of Supervisors approve the legislation to acknowledge TIDA's acceptance of the TIS1 Offers and the TIS2 Offer. Hereinafter, the Director's recommendation also includes the City Engineer's certification of actions under the City Engineer's authority.

The Director further recommends that the Board of Supervisors approve the legislation to acknowledge TIDA's dedication of the TIDA Improvements and the Ferry Terminal Improvements to public use and TIDA's acceptance of the TIDA Improvements and the Ferry Terminal Improvements for maintenance and liability purposes subject to the following:

1. TIDA's acceptance of the TIDA Improvements and the Ferry Terminal Improvements for maintenance and liability purposes includes those improvements within the areas legally described in Exhibit A of the TIS1 Offers and the TIS2 Offer;
2. The acceptance of the TIDA Improvements and the Ferry Terminal Improvements does not obviate, amend, alter, or in any way affect existing maintenance agreements between the City and parties to such agreements; and
3. TIS1 and TIS2's conditional assignment of all warranties and guaranties to TIDA related to the construction of the TIDA Improvements and the Ferry Terminal Improvements and warranty obligations under the PIA.

X

DocuSigned by:

Denny Phan

Phan, Denny C907BA0BD82C4E6...

Acting Manager, Infrastructure Task Force

X

DocuSigned by:

Albert Ko

Ko, Albert J 281DC30E04CF41A...

City Engineer

X

DocuSigned by:

Carla Short

073CF73A4EA6486...

Short, Carla

Director of Public Works

NO RECORDING FEE

RECORDING REQUESTED BY
and When Recorded Mail To:

Treasure Island Director
Treasure Island Development Authority
One Avenue of the Palms, Suite 241
San Francisco, California 94130

APN:

Situs:

OFFER OF IMPROVEMENTS

TREASURE ISLAND SERIES 2, LLC, a Delaware limited liability company (“Offeror”), and its successors and assigns, does hereby irrevocably offer to the Treasure Island Development Authority, a California public benefit corporation, (“Offeree”), and its successors and assigns, all of those improvements constructed by Offeror, and located within the area described in Exhibit A hereto, located in the City and County of San Francisco. The improvements are described in Improvement Plans and Specifications described in City’s Department of Building Inspection (“DBI”) Permit Nos. 2022.0518.4539, 2022.0518.4538, 2022.0518.4537, 2022.0518.4545, 2022.0518.4536, 2022.0518.4543, and 2022.0518.4541, on file with DBI.

It is understood and agreed that: (i) Offeree and its successors or assigns shall incur no liability or obligation whatsoever hereunder with respect to such offer of public improvements, and, except as may be provided by separate instrument, shall not assume any responsibility for the offered improvements, unless and until such offer has been accepted by appropriate action of Offeree; and (ii) upon acceptance of this offer of public improvements by formal action of the Offeree, the Offeree shall own and be responsible for maintenance of the accepted public facilities and improvements.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, successors, assigns, and personal representatives of the parties hereto.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned has executed this instrument this ____ day
of _____, 2023.

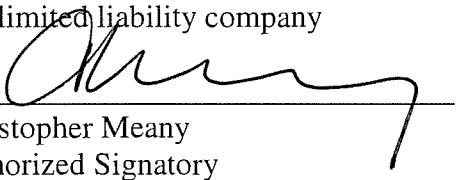
GRANTOR:

TREASURE ISLAND SERIES 2, LLC
a Delaware limited liability company

By: _____

Name: Christopher Meany

Title: Authorized Signatory

A handwritten signature in black ink, appearing to read 'Christopher Meany', is written over a horizontal line. The signature is cursive and extends slightly to the right of the line.

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California

County of Los Angeles

On Oct. 26, 2023 before me, Tina L. Gaines, Notary Public, personally appeared Christopher Meany who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Tina L. Gaines
Signature of Notary Public

(Notary Seal)



Exhibit A

Legal Description

[Attached]



EXHIBIT A
LEGAL DESCRIPTION
FERRY TERMINAL

All that certain real property situate in the City and County of San Francisco, State of California, being a portion of Lot 16 and Lot Q as shown on that certain Final Map No. 9235, filed for record on September 13, 2018 in book 134 of Condominium Maps at pages 170 through 179, in the Office of the City and County Recorder of said City and County, also being a portion of Lot P as shown on that certain Final Map No. 9228, filed for record on April 19, 2018 in book 134 of Condominium Maps at Pages 7 through 23, in the Office of the City and County Recorder of said City and County, and being more particularly described as follows:

COMMENCING at the northwesterly corner of Lot S as shown said Final Map No. 9235;

Thence leaving said corner, North $49^{\circ}10'44''$ West, 156.05 feet to the **POINT OF BEGINNING**;

Thence South $27^{\circ}41'00''$ East, 51.52 feet;

Thence South $40^{\circ}19'00''$ West, 11.86 feet;

Thence South $27^{\circ}48'16''$ East, 262.13 feet;

Thence North $62^{\circ}19'07''$ East, 3.15 feet;

Thence South $27^{\circ}40'48''$ East, 45.00 feet;

Thence North $62^{\circ}19'00''$ East, 3.70 feet;

Thence South $27^{\circ}40'48''$ East, 63.25 feet;

Thence North $55^{\circ}40'04''$ East, 4.41 feet;

Thence South $37^{\circ}19'56''$ East, 12.93 feet;

Thence South $49^{\circ}40'04''$ West, 6.71 feet;

Thence South $27^{\circ}40'58''$ East, 64.96 feet;

Thence South $62^{\circ}19'00''$ West, 3.70 feet;

Thence South $27^{\circ}41'00''$ West, 45.00 feet;

Thence South 62°19'00" West, 3.70 feet;

Thence South 28°02'46" East, 47.08 feet

Thence South 28°37'56" East, 0.17 feet;

Thence South 52°42'07" West, 714.75 feet;

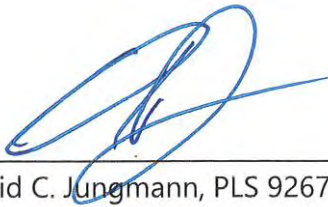
Thence North 37°19'04" West, 405.81 feet;

Thence North 40°18'44" East, 844.87 feet to the **POINT OF BEGINNING**.

Containing a total area of 376,013 square feet or 8.632 acres, more or less.

Exhibit B is attached hereto and made a part hereof.

This legal description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors' Act.



David C. Jungmann, PLS 9267



10/26/2023
Date

END OF DESCRIPTION

ABBREVIATIONS

FM FINAL MAP NUMBER
 POB POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 SQ.FT. SQUARE FEET

• DENOTES POINT OF BEGINNING AND COMMENCEMENT

EASEMENT AREA
 376,013 SQ.FT.± OR
 8.632 ACRES±



Signature
 10/26/2023

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	S27°41'00"E	51.52'
L2	S40°19'00"W	11.86'
L3	S27°48'16"E	262.13'
L4	N62°19'07"E	3.15'
L5	S27°40'48"E	45.00'
L6	N62°19'00"E	3.70'
L7	S27°40'48"E	63.25'
L8	N55°40'04"E	4.41'
L9	S37°19'56"E	12.93'
L10	S49°40'04"W	6.71'
L11	S27°40'58"E	64.96'
L12	S62°19'00"W	3.70'
L13	S27°41'00"E	45.00'
L14	S62°19'00"W	3.70'
L15	S28°02'46"E	47.08'
L16	S28°37'56"E	0.17'
L17	S52°42'07"W	714.75'
L18	N37°19'04"W	405.81'
L19	N40°18'44"E	844.87'

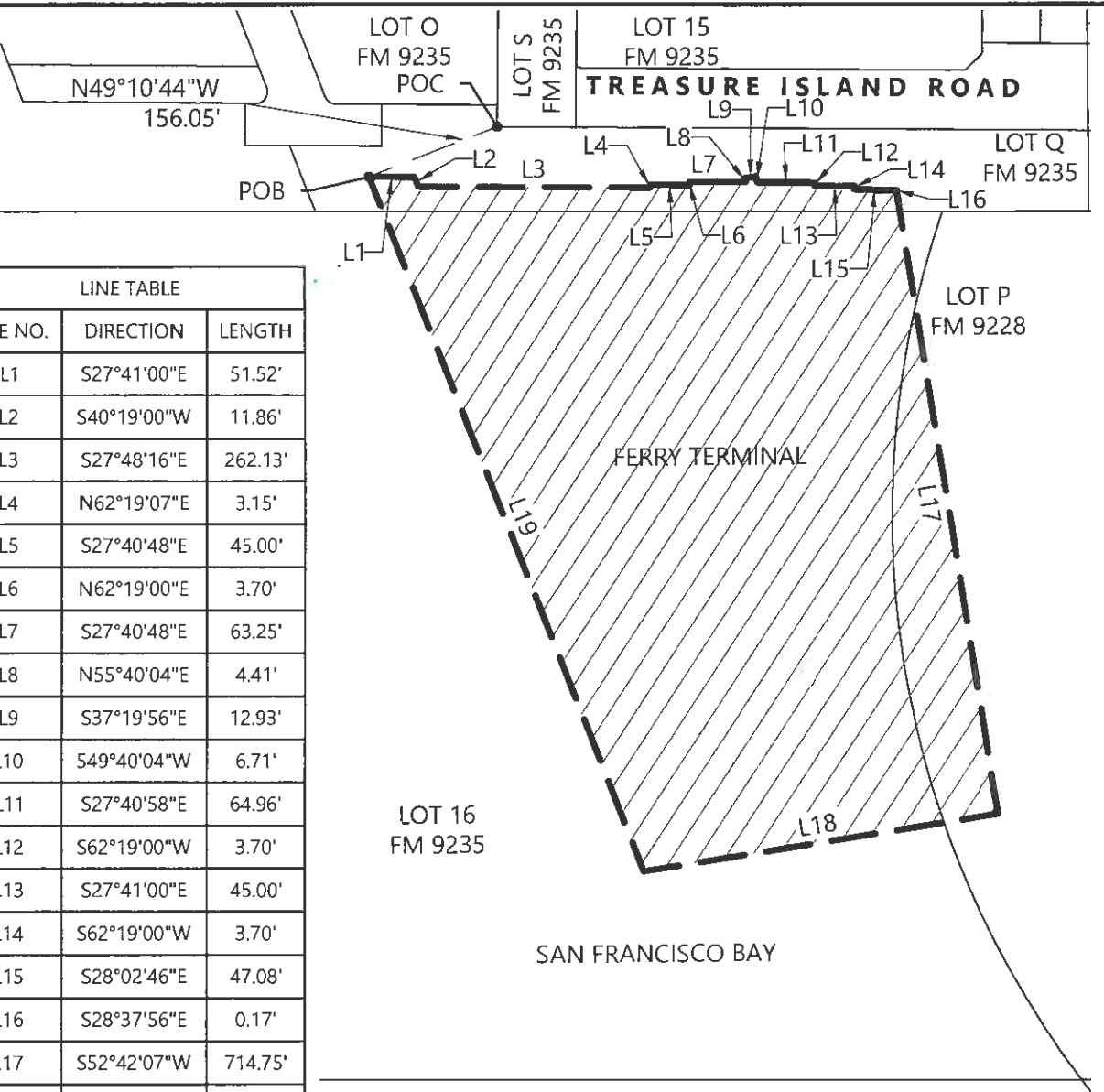


EXHIBIT B

RESOLUTION NO. 23-29-1011

1 [Acceptance of TIDA Assets on Yerba Buena Island and Treasure Island]

2

3 **RESOLUTION TO ACCEPT CERTAIN IMPROVEMENTS ON YERBA BUENA ISLAND AND**
4 **TREASURE ISLAND, TO DESIGNATE THE APPLICABLE PORTION OF THE**
5 **IMPROVEMENTS FOR OPEN SPACE, TO DEDICATE THE APPLICABLE PORTION OF**
6 **THE IMPROVEMENTS TO PUBLIC USE, AND TO ACCEPT THE IMPROVEMENTS FOR**
7 **MAINTENANCE AND LIABILITY PURPOSES**

8 WHEREAS, On June 28, 2011 the Treasure Island Development Authority (“the
9 Authority”) and Treasure Island Community Development, LLC (“Developer”) entered into the
10 Disposition and Development Agreement (“Treasure Island/Yerba Buena Island DDA” or
11 “DDA”); and

12 WHEREAS, The DDA contemplates the redevelopment of Treasure Island and Yerba
13 Buena Island (“the Project”), including up to 8,000 units of housing, 140,000 square feet of
14 commercial and retail space, 100,000 square feet of office space, and up to approximately 300
15 acres of parks and open space, a ferry terminal, new and upgraded streets and other public
16 ways, and extensive bicycle, pedestrian, and transit facilities; and

17 WHEREAS, Under the DDA, Developer is responsible for construction of public
18 improvements within the Project, including parks and open spaces; and

19 WHEREAS, The Authority will own and operate the parks and open space lands and
20 other infrastructure improvements within the Project, collectively (“TIDA Infrastructure” or “TIDA
21 Assets”). For purposes of this resolution “the TIDA Assets” are a number of infrastructures and
22 improvement to existing TIDA infrastructure as well as open spaces located on Authority-owned
23 real property on Yerba Buena Island and Treasure Island, within a portion of Lot J, Lot M, Lot
24 N of Final Map No. 9228 recorded April 19, 2018 as Document No. 2018-K602992, Lot C of
25 Final Map No. 9856 recorded July 10, 2020, as Document No.2020-K950645 and Lot X, Lot W,

1 Lot U, Lot Q and Lot 15 of Final Map No. 9235 recorded on September 13, 2018 as Document
2 No. 2018-K672373 and Lot C of Parcel Map 10711 recorded on October 19, 2022 as Document
3 No. 2022095273 as further described and depicted in the list and map of TIDA Assets with
4 corresponding legal description for each TIDA Asset, a copy of list and map of TIDA assets as
5 well as copies of the responding legal description which are on file with the Secretary of this
6 Board and are incorporated herein by reference; and

7 WHEREAS, As set forth in the Memorandum of Agreement Regarding Ownership and
8 Maintenance of Public Improvements on Treasure Island and Yerba Buena Island between the
9 Authority and the City, dated April 26, 2017, the Authority may accept TIDA Assets completed
10 by Developer with the approval of the Authority Board of Directors; and,

11 WHEREAS, Treasure Island Series 1 LLC (“TI Series 1”), an affiliate of Developer and
12 partial assignee of the DDA, has prepared the irrevocable offers of improvements on these
13 TIDA Assets” to the Authority (the “TI Series 1 Offers”); and

14 WHEREAS, Public Works (“PW”) has drafted a Public Works Order (the “PW Order”),
15 confirming that PW: (1) inspected the TIDA Assets and the City Engineer, by issuance of a
16 series of Conditional Notice of Completions, determined them to be complete in substantial
17 conformity with the approved plans, specifications, and applicable City regulations governing
18 the applicable infrastructure improvements; and (2) determined that the TIDA Assets are ready
19 for their intended use; and

20 WHEREAS, In the PW Order, the Interim PW Director recommends, and the City
21 Engineer certifies, to the Board of Supervisors that the applicable TIDA Assets should be
22 accepted for public use by TIDA and PW further recommends that the Board of Supervisors
23 acknowledge the Authority’s acceptance of ownership of the TIDA Assets, acknowledge the
24 Authority’s acceptance of the TIDA Assets for maintenance and liability subject to TI Series 1’s
25 conditional assignment of warranties, dedicate the applicable TIDA Assets for public use, and

1 designate the applicable TIDA Assets for public open space purposes only. A copy of the Draft
2 TI Series 1 Offers and the Draft PW Order are on file with the Secretary of this Board and are
3 incorporated herein by reference; and

4 WHEREAS, On April 21, 2011, the City Planning Commission by Motion No. 18325 and
5 the Authority Board of Directors by Resolution No. 11-14-04/21, as co-lead agencies, certified
6 the completion of the Final Environmental Impact Report (“the FEIR”) for the Project; and

7 WHEREAS, On April 21, 2011, the Authority Board of Directors, by Resolution No. 11-
8 15-04/21, adopted environmental findings pursuant to the California Environmental Quality Act
9 with respect to approval of the Project, including a mitigation monitoring and reporting program
10 and a statement of overriding considerations (the “CEQA Findings”);

11 WHEREAS, San Francisco Planning Department has drafted a letter of General Plan
12 Consistency Determination and CEQA Findings (“SF Planning Findings Letter”)that finds the
13 public improvements including the TIDA Assets on Yerba Buena Island and Treasure Island are
14 consistent with the FEIR and CEQA Findings and on balance, consistent with the General Plan
15 and Planning Code Section 101.1 Consistency Finding of Motion No.18328. A copy of the SF
16 Planning Findings Letter is on file with the Secretary of this Board and is incorporated herein by
17 reference; now, therefore, be it

18 RESOLVED, The Authority Board has reviewed and considered the FEIR, the CEQA
19 Findings, and the record as a whole, and finds that the FEIR is adequate for its use for the
20 action taken by this resolution, and incorporates the CEQA Findings into this resolution; and be
21 it

22 FURTHER RESOLVED, The Authority Board further finds that since the FEIR was
23 finalized, there have been no substantial project changes and no substantial changes in project
24 circumstances that would require revisions to the FEIR due to the involvement of new significant
25 environmental effects or an increase in the severity of previously identified significant impacts,

1 and there is no new information of substantial importance that would change the conclusions
2 set forth in the FEIR; and be it

3 FURTHER RESOLVED, That the acceptance, operation, and maintenance of the TIDA
4 Assets would not lead to additional or substantially more severe environmental impacts beyond
5 those shown in the FEIR; and be it

6 RESOLVED, That the Authority Board, subject to the execution of Public Works Order
7 and acknowledgement by the Board of Supervisors, accepts the TIDA Assets, dedicates
8 applicable TIDA Assets to public use, designates applicable TIDA Assets for open space
9 purposes, and accepts them for maintenance and liability purposes; and, be it

10 FURTHER RESOLVED That the Authority Board's acceptance of the TIDA Assets
11 Improvements is for the TIDA Assets only, excluding any encroachments that are permitted,
12 not permitted, or both; and, be it

13 FURTHER RESOLVED, That the Authority Board acknowledges and accepts TI Series
14 1's conditional assignment of all warranties and guaranties to the Authority related to the
15 construction of the TIDA Assets, substantially in the form on file with the Secretary of this Board
16 and are incorporated herein by reference ("Conditional Assignment of Warranties"); and, be it

17 FURTHER RESOLVED, That the Authority Board recommends that the Board of
18 Supervisors acknowledge the Authority's acceptance of ownership of the TIDA Assets,
19 dedication of applicable TIDA Assets to public use, designation of applicable TIDA Assets for
20 open space purposes only, and acceptance of them for maintenance and liability purposes
21 subject to the Conditional Assignment of Warranties; and, be it

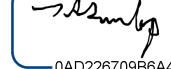
22 FURTHER RESOLVED, That the Authority Board authorizes the Treasure Island
23 Director, in consultation with the City Attorney, to take any and all actions (including amending
24 the Conditional Assignment of Warranties) which may be necessary or advisable to effectuate
25 the purpose and intent of this resolution, are in the best interests of the Authority, and that do

1 not materially increase the obligations or liabilities of the Authority or materially reduce the
2 rights of the Authority, such determination to be conclusively evidenced by the execution and
3 delivery by the Treasure Island Director of the documents.

4
5 **CERTIFICATE OF SECRETARY**

6
7 I hereby certify that I am the duly elected Secretary of the Treasure Island
8 Development Authority, a California nonprofit public benefit corporation, and that the
9 above Resolution was duly adopted and approved by the Board of Directors of the
10 Authority at a properly noticed meeting on October 11, 2023.

11
12 DocuSigned by:



13 0AD226709B6A4E3...

14 **Mark Dunlop, Secretary**

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1 [Acceptance of Ferry Terminal Improvements on Treasure Island]

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3 **RESOLUTION OF ACCEPTANCE OF THE FERRY TERMINAL IMPROVEMENTS**
4 **ON TREASURE ISLAND AND ASSOCIATED ACTIONS INCLUDING TO (i)**
5 **DEDICATE SUCH IMPROVEMENTS FOR PUBLIC USE, AND TO ACCEPT SUCH**
6 **IMPROVEMENTS FOR MAINTENANCE AND LIABILITY PURPOSES, AND (ii)**
7 **RECOMMEND TO THE BOARD OF SUPERVISORS THEY ACKNOWLEDGE THE**
8 **AUTHORITY’S ACCEPTANCE OF SUCH IMPROVEMENTS, AND (iii) ADOPT**
9 **ENVIRONMENTAL FINDINGS.**

10 WHEREAS, On June 28, 2011, the Treasure Island Development Authority (the
11 “**Authority**”) and Treasure Island Community Development, LLC (“**Developer**”) entered into
12 the Disposition and Development Agreement (as amended, “**Treasure Island/Yerba Buena**
13 **Island DDA**” or “**DDA**”); and

14 WHEREAS, The DDA contemplates the redevelopment of Treasure Island and Yerba
15 Buena Island (the “**Project**”), including up to 8,000 units of housing, 140,000 square feet of
16 commercial and retail space, 100,000 square feet of office space, and up to approximately 300
17 acres of parks and open space, a ferry terminal, new and upgraded streets and other public ways,
18 and extensive bicycle, pedestrian, and transit facilities; and

19 WHEREAS, Under the DDA, Developer is responsible for construction of public
20 improvements within the Project, including ferry terminal improvements on Treasure Island
21 which include, specifically, foundations, signs, breakwaters, a pier, a gangway, and float for the
22 ferry terminal, all as described in San Francisco Department of Building Inspection Permit Nos.
23 2022.0518.4539, 2022.0518.4538, 2022.0518.4537, 2022.0518.4545, 2022.0518.4536,
24 2022.0518.4543, and 2022.0518.4541 (“**Ferry Terminal Improvements**”); and

25 WHEREAS, The Authority will own the Ferry Terminal Improvements and dedicate
them to public use as part of the Project’s integrated transportation network; and

1 WHEREAS, As set forth in the Memorandum of Agreement Regarding Ownership and
2 Maintenance of Public Improvements on Treasure Island and Yerba Buena Island between the
3 Authority and the City, dated April 26, 2017, upon satisfaction of all conditions to acceptance of
4 the offered improvement, the Authority may accept such improvement completed by Developer
5 with the approval of the Authority Board of Directors (the “**Authority Board**”) and the Board of
6 Supervisors; and,

7 WHEREAS, Treasure Island Series 2, LLC (“**TI Series 2**”), an affiliate of Developer and
8 partial assignee of the DDA, has prepared an irrevocable offer of the Ferry Terminal
9 Improvements to the Authority (the “**TI Series 2 Offer**”), a copy of which is on file with the
10 Secretary of this Board and is incorporated herein by reference; and

11 WHEREAS, Public Works (“**PW**”) has drafted a Public Works Order (the “**PW Order**”)
12 confirming that (1) the Department of Building Inspection (“**DBI**”) has: inspected the Ferry
13 Terminal Improvements and issued multiple Certificates of Completion and Occupancy, and
14 (2) the Authority issued a Conditional Notice of Completion dated May 25, 2023 in which the
15 Authority determined the Ferry Terminal Improvements to be complete in substantial conformity
16 with the approved plans, specifications, and applicable City regulations, and determined that the
17 Ferry Terminal Improvements are ready for their intended use; and

18 WHEREAS, In the PW Order, the Interim PW Director recommends, and the City
19 Engineer certifies, to the Board of Supervisors and the Authority Board that the Ferry Terminal
20 Improvements should be accepted for public use by TIDA and PW further recommends that the
21 Board of Supervisors acknowledge the Authority’s acceptance of ownership of the Ferry
22 Terminal Improvements, acknowledge the Authority’s acceptance of the Ferry Terminal
23 Improvements for maintenance and liability subject to the warranty requirements set forth therein
24 and the TI Series 2’s conditional assignment of warranties (“**Assignment of Warranties**”), and
25 dedicate the Ferry Terminal Improvements for public use. A copy of the TI Series 2 Offer, the
Draft PW Order, and the Assignment of Warranties are all on file with the Secretary of this
Board and are incorporated herein by reference; and

1 WHEREAS, On April 21, 2011, the City Planning Commission by Motion No. 18325
2 and the Authority Board by Resolution No. 11-14-04/21, as co-lead agencies, certified the
3 completion of the Final Environmental Impact Report (the “**FEIR**”) for the Project; and

4 WHEREAS, On April 21, 2011, the City Planning Commission by Motion No. 18326
5 and the Authority, by Resolution No. 11-15-04/21, adopted environmental findings pursuant to
6 the California Environmental Quality Act with respect to approval of the Project, including a
7 mitigation monitoring and reporting program and a statement of overriding considerations (the
8 “**CEQA Findings**”);

9 WHEREAS, San Francisco Planning Department has provided a letter of General Plan
10 Consistency Determination and CEQA Findings dated November 1, 2023 (“**SF Planning**
11 **Findings Letter**”) that finds the Ferry Terminal Improvements are covered within the scope of
12 the FEIR and CEQA Findings and on balance, consistent with the General Plan and Planning
13 Code Section 101.1 Consistency Finding of Planning Commission Motion No. 18328. A copy of
14 the SF Planning Findings Letter is on file with the Secretary of this Board and is incorporated
15 herein by reference; now, therefore, be it

16 RESOLVED, The Authority Board has reviewed and considered the FEIR, the CEQA
17 Findings, and the record as a whole, and finds that the FEIR is adequate for its use for the action
18 taken by this resolution, and incorporates the CEQA Findings into this resolution; and be it

19 FURTHER RESOLVED, The Authority Board further finds that since the FEIR was
20 finalized, there have been no substantial project changes and no substantial changes in project
21 circumstances that would require revisions to the FEIR due to the involvement of new significant
22 environmental effects or an increase in the severity of previously identified significant impacts,
23 and there is no new information of substantial importance that would change the conclusions set
24 forth in the FEIR; and be it

25 FURTHER RESOLVED, That the acceptance, operation, and maintenance of the Ferry
Terminal Improvements would not lead to additional or substantially more severe environmental
impacts beyond those shown in the FEIR; and be it

1 FURTHER RESOLVED, That the Authority Board accepts the Ferry Terminal
2 Improvements, dedicates them to public use, and accepts them for maintenance and liability
3 purposes subject to the warranty requirements set forth in the PW Order and the Assignment of
4 Warranties upon satisfaction of all the following conditions: (i) the execution of the Public
5 Works Order, (ii) execution of the final SF Planning Findings Letter, (iii) delivery to the
6 Authority of the fully executed TI Series 2 Offer and the Assignment of Warranties, (iv) the
7 foregoing items (i)—(iii) all in substantially the same form as the drafts filed with the Secretary
8 of this Board, and (v) acknowledgment by the Board of Supervisors of the Authority’s actions in
9 this resolution; and, be it

10 FURTHER RESOLVED That the Authority Board’s acceptance of the Ferry Terminal
11 Improvements is for the Ferry Terminal Improvements only, excluding any encroachments that
12 are permitted, not permitted, or both; and, be it

13 FURTHER RESOLVED, That upon delivery to the Authority of the fully executed
14 Assignment of Warranties, the Authority Board acknowledges and accepts TI Series 2’s
15 Assignment of Warranties to the Authority related to the construction of Ferry Terminal
16 Improvements; and, be it

17 FURTHER RESOLVED, That the Authority Board recommends that the Board of
18 Supervisors acknowledge the Authority’s acceptance of the Ferry Terminal Improvements,
19 dedication of them to public use, and acceptance of them for maintenance and liability purposes
20 subject to the warranty requirements set forth in the PW Order and the Assignment of Warranties
21 and the Authority’s or any of its successors and/or assigns rights to exercises any right of repair,
22 warranty or guaranty against Developer or its affiliate under a separate agreement; and, be it

23 FURTHER RESOLVED, That the Authority Board authorizes the Treasure Island
24 Director, in consultation with the City Attorney, to take any and all actions which may be
25 necessary or advisable to effectuate the purpose and intent of this resolution, are in the best
interests of the Authority, and that do not materially increase the obligations or liabilities of the
Authority or materially reduce the rights of the Authority, such determination to be conclusively

1 evidenced by the execution and delivery by the Treasure Island Director of the documents.

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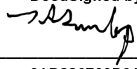
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CERTIFICATE OF SECRETARY

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I hereby certify that I am the duly elected Secretary of the Treasure Island Development Authority, a California nonprofit public benefit corporation, and that the above Resolution was duly adopted and approved by the Board of Directors of the Authority at a properly noticed meeting on November 8, 2023.

DocuSigned by:

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Mark Dunlop, Secretary

RESOLUTION NO. 23-32-1108

1 [Acceptance of the Improvement Offers within Right of Way Lands on Yerba Buena Island and
2 Portions of Treasure Island along with Water Tanks and Switchyard Improvements (“City
3 Improvements”), Dedicate the City Improvements to Public Use, Designate the City Improvements
4 for Street and Roadway Purposes or as City Assets Depending on the Improvement, and
5 Recommend to the Board of Supervisors that It Dedicate and Accept for City Maintenance and
6 Liability the City Improvements, Taking Various Acceptance Actions Related to Non-Standard
7 Encroachments on the Right of Way Lands That Are TIDA Assets, and Adopt Environmental
8 Findings]

9
10 **RESOLUTION TO (1) ACCEPT DEVELOPER’S OFFER OF THE STREETS ON**
11 **YERBA BUENA ISLAND AND PORTIONS OF TREASURE ISLAND AND DEDICATE**
12 **THEM TO PUBLIC USE, AND DESIGNATE THEM FOR STREET AND ROADWAY**
13 **PURPOSES; (2) ACCEPT DEVELOPER’S OFFER OF THE POTABLE WATER**
14 **STORAGE TANKS AND SWITCHYARD IMPROVEMENTS AND DESIGNATE THEM**
15 **TO PUBLIC USE, (3) RECOMMEND THE BOARD OF SUPERVISORS ACCEPT THE**
16 **STREETS, POTABLE WATER STORAGE TANKS, AND SWITCHYARD**
17 **IMPROVEMENTS, DEDICATE THE STREETS FOR PUBLIC USE AND DESIGNATE**
18 **THEM FOR STREET AND ROADWAY PURPOSES, DEDICATE THE POTABLE**
19 **WATER STORAGE TANKS AND SWITCHYARD IMPROVEMENTS FOR PUBLIC**
20 **USE AND ACCEPT SUCH IMPROVEMENTS FOR MAINTENANCE AND LIABILITY**
21 **PURPOSES, (4) ACCEPT CERTAIN TIDA OWNED ASSETS ON STREETS,**
22 **DEDICATE SUCH TIDA ASSETS TO PUBLIC USE, ACCEPT SUCH TIDA ASSETS**
23 **FOR MAINTENANCE AND LIABILITY PURPOSES, AND RECOMMEND THE**
24 **BOARD OF SUPERVISORS RECOGNIZE THE AUTHORITY’S ACTION; AND**
25 **(5) ADOPT ENVIRONMENTAL FINDINGS.**

WHEREAS, On June 28, 2011, the Treasure Island Development Authority (the
“**Authority**”) and Treasure Island Community Development, LLC (“**Developer**”) entered into

1 the Disposition and Development Agreement (as amended, “**Treasure Island/Yerba Buena**
2 **Island DDA**” or “**DDA**”); and

3 WHEREAS, The DDA contemplates the redevelopment of Treasure Island and Yerba
4 Buena Island (the “**Project**”), including up to 8,000 units of housing, 140,000 square feet of
5 commercial and retail space, 100,000 square feet of office space, and up to approximately 300
6 acres of parks and open space, a ferry terminal, new and upgraded streets and other public ways,
7 and extensive bicycle, pedestrian, and transit facilities; and

8 WHEREAS, Under the DDA, Developer is responsible for construction of public
9 improvements within the Project, including (i) improvements located within portions of Avenue
10 of the Palms, Bruton Street, Clipper Cove Avenue, Cravath Street, Garden Walk, Johnson Street,
11 Macalla Road, North Gate Road, Seven Seas Avenue, Signal Road, Treasure Island Road and
12 Yerba Buena Island Road (collectively, the “**Streets**”), such Streets being located in the Final Map
13 parcels described in the staff report accompanying this resolution, (ii) certain non-standard
14 encroachments within the Streets comprised of bike racks, benches, wayfinding signage, TIDA
15 storm drain force main lines, irrigation sleeves, and shuttle stop islands, as more particularly
16 described in the staff report accompanying this resolution (collectively, the “**TIDA Assets**”),
17 (iii) the Yerba Buena Island potable water storage tanks (the “**Water Tanks**”), and (iv) electrical
18 substructures serving a new 12 kilovolt switchyard on Treasure Island (the “**Switchyard**
19 **Improvements**”); together with the Streets and the Water Tanks, the “**City Improvements**”), all
20 as described in the Street Improvement Permit Nos. 18IE-0330 and 18IE-0941 (for the Streets and
21 the TIDA Assets), Department of Building Inspection Building Permit Nos. 201603111785 and
22 201706300838 (for the Water Tanks), and Department of Building Inspection Electric Permit No.
23 E202203108893 (for the Switchyard); and

24 WHEREAS, As set forth in the Memorandum of Agreement Regarding Ownership and
25 Maintenance of Public Improvements on Treasure Island and Yerba Buena Island between the
Authority and the City, dated April 26, 2017, upon satisfaction of all conditions to acceptance of
the offered improvement, the Authority may accept such improvement completed by Developer

1 with the approval of the Authority Board of Directors (the “**Authority Board**”) and the Board of
2 Supervisors; and

3 WHEREAS, Treasure Island Series 1, LLC (“**TI Series 1**”) and Treasure Island Series 2,
4 LLC (“**TI Series 2**”), each an affiliate of Developer and partial assignee of the Developer’s
5 rights and obligations under the DDA, have each prepared irrevocable offers of the City
6 Improvements and the TIDA Assets to the City and Authority (the “**TI Series 1 Offer**” and the
7 “**TI Series 2 Offer**”; collectively, the “**Offers**”), copies of which are on file with the Secretary of
8 this Board and are incorporated herein by reference; and

9 WHEREAS, Public Works (“**PW**”) has drafted Public Works Orders (the “**PW Orders**”)
10 confirming in each that PW has: (1) inspected the City Improvements and the TIDA Assets and
11 the City Engineer, by issuance of a series of Notices of Completion, determined them to be
12 complete in substantial conformity with the approved plans, specifications, and applicable City
13 regulations governing the City Improvements and the TIDA Assets; and (2) determined that the
14 City Improvements and the TIDA Assets are ready for their intended use; and

15 WHEREAS, In each of the PW Orders, the Interim PW Director recommends, and the
16 City Engineer certifies, to the Authority Board and the Board of Supervisors that the City
17 Improvements and the TIDA Assets should be accepted, dedicated for public use and the Streets
18 designated as open public-right-of-way for street and roadway purposes and PW further
19 recommends that the Board of Supervisors acknowledge the Authority’s (i) acceptance of the
20 Offers of the City Improvements and the TIDA Assets, dedication of them for public use,
21 designation of the Streets as open public-right-of-way for street and roadway purposes, and
22 acceptance of the TIDA Assets for maintenance and liability purposes subject to the warranties
23 and guarantees described in the PW Orders, and (ii) recommendation to the Board of Supervisors
24 that the Board of Supervisors accept the City Improvements, dedicate them for public use,
25 designate the Streets as open public-right-of-way for street and roadway purposes, and accept the
City Improvements (other than Signal Road) for maintenance and liability purposes subject to
warranties and guarantees referenced in the PW Orders. A copy of the Draft PW Orders are all

1 on file with the Secretary of this Board and are incorporated herein by reference; and

2 WHEREAS, The Authority will accept and dedicate for public use, the TIDA Assets and
3 accept them for maintenance and liability purposes subject to the warranties and guarantees
4 referenced in the PW Orders, accept the City Improvements, dedicate them for public use, and
5 designate the Streets as open public-right-of-way for street and roadway purposes; and

6 WHEREAS, The Authority recommends that the Board of Supervisors acknowledge the
7 Authority's actions in this resolution, accept the City Improvements, dedicate them for public use,
8 designate the Streets as open public-right-of-way for street and roadway purposes, and accept the
9 City Improvements (other than Signal Road) for maintenance and liability purposes subject to the
10 warranties and guarantees referenced in the PW Orders; and

11 WHEREAS, On April 21, 2011, the City Planning Commission by Motion No. 18325
12 and the Authority Board by Resolution No. 11-14-04/21, as co-lead agencies, certified the
13 completion of the Final Environmental Impact Report (the "**FEIR**") for the Project; and

14 WHEREAS, On April 21, 2011, the City Planning Commission by Motion No. 18326
15 and the Authority, by Resolution No. 11-15-04/21, adopted environmental findings pursuant to
16 the California Environmental Quality Act with respect to approval of the Project, including a
17 mitigation monitoring and reporting program and a statement of overriding considerations (the
18 "**CEQA Findings**");

19 WHEREAS, San Francisco Planning Department has drafted a letter of General Plan
20 Consistency Determination and CEQA Findings dated November 1, 2023 ("**SF Planning**
21 **Findings Letter**") that finds the City Improvements and TIDA Assets are covered within the
22 scope of the FEIR and CEQA Findings and on balance, consistent with the General Plan and
23 Planning Code Section 101.1 Consistency Finding of Planning Commission Motion No. 18328.
24 A copy of the SF Planning Findings Letter is on file with the Secretary of this Board and is
25 incorporated herein by reference; now, therefore, be it

RESOLVED, The Authority Board has reviewed and considered the FEIR, the CEQA
Findings, and the record as a whole, and finds that the FEIR is adequate for its use for the action

1 taken by this resolution, and incorporates the CEQA Findings into this resolution; and be it

2 FURTHER RESOLVED, The Authority Board further finds that since the FEIR was
3 finalized, there have been no substantial project changes and no substantial changes in project
4 circumstances that would require revisions to the FEIR due to the involvement of new significant
5 environmental effects or an increase in the severity of previously identified significant impacts,
6 and there is no new information of substantial importance that would change the conclusions set
7 forth in the FEIR; and be it

8 FURTHER RESOLVED, That the acceptance, operation, and maintenance of the City
9 Improvements and TIDA Assets would not lead to additional or substantially more severe
10 environmental impacts beyond those shown in the FEIR; and be it

11 FURTHER RESOLVED, That the Authority Board accepts the Offers of City
12 Improvements and TIDA Assets, dedicates them to public use, designates the Streets as open
13 public-right-of-way for street and roadway purposes, and accepts the TIDA Assets for
14 maintenance and liability purposes subject to the warranties and guarantees referenced in the PW
15 Orders upon satisfaction of all the following conditions: (i) the execution of the Public Works
16 Orders, (ii) delivery to the Authority of the fully executed Offers and if applicable, any
17 assignment of warranties described in the PW Orders, (iii) the items listed in the foregoing
18 clauses (i)—(ii) all in substantially the same form as the drafts filed with the Secretary of this
19 Board, (iv) acknowledgment of the Authority’s actions in this resolution by the Board of
20 Supervisors; and (v) acceptance by the Board of Supervisors of the City Improvements,
21 dedication of them for public use, designation of the Streets as open public-right-of-way for
22 street and roadway purposes, and acceptance of the City Improvements (other than Signal Road)
23 by the Board of Supervisors for maintenance and liability purposes subject to the warranties and
24 guarantees referenced in the PW Orders; and, be it

25 FURTHER RESOLVED That the Authority Board’s acceptance of the offer of the City
Improvements and the TIDA Assets is for the City Improvements and TIDA Assets only,
excluding any encroachments that are permitted (other than the TIDA Assets being accepted by

1 the Authority pursuant to this resolution), not permitted, or both; and, be it

2 FURTHER RESOLVED, That the Authority Board recommends to the Board of
3 Supervisors that the Board of Supervisors acknowledge the Authority's acceptance of the offer
4 of the City Improvements and TIDA Assets, designation of the Streets as open public-right-of-
5 way for street and roadway purposes, dedication of the City Improvements and the TIDA Assets
6 to public use, and acceptance of the TIDA Assets only for maintenance and liability purposes
7 subject to the warranties and guarantees referenced in the PW Orders; and, be it

8 FURTHER RESOLVED, That the Authority Board recommends to the Board of
9 Supervisors that the Board of Supervisor accept the City Improvements, dedicate them for public
10 use, designate the Streets as open public-right-of-way for street and roadway purposes, and
11 accept the City Improvements (other than Signal Road) for maintenance and liability purposes
12 subject to the warranties and guarantees referenced in the PW Orders; and, be it

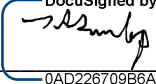
13 FURTHER RESOLVED, That the Authority Board authorizes the Treasure Island
14 Director, in consultation with the City Attorney, to take any and all actions which may be
15 necessary or advisable to effectuate the purpose and intent of this resolution, are in the best
16 interests of the Authority, and that do not materially increase the obligations or liabilities of the
17 Authority or materially reduce the rights of the Authority, such determination to be conclusively
18 evidenced by the execution and delivery by the Treasure Island Director of the documents.

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CERTIFICATE OF SECRETARY

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I hereby certify that I am the duly elected Secretary of the Treasure Island Development Authority, a California nonprofit public benefit corporation, and that the above Resolution was duly adopted and approved by the Board of Directors of the Authority at a properly noticed meeting on November 8, 2023.

DocuSigned by:

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Mark Dunlop, Secretary



GENERAL PLAN CONSISTENCY DETERMINATION AND CEQA FINDINGS

November 1, 2023

Ms. Carla Short
Interim Director
San Francisco Public Works
49 South Van Ness Avenue
San Francisco, CA 94103

Project Title:	Treasure Island – Acceptance of Public Improvements
Assessor’s Blocks(s)/Lot(s):	1939/102, 103, 104, 105, 106, 108, 109, 110, 113, 114, 115, 117, 118, 119, 120, 121, 122, 123, 124, 177, 178, 179; 8902/465; and 8928/001
Design Review Approval No.(s):	2007.0903BEMRTUWZ
Zoning District(s):	Treasure Island Open Space (TI-OS), Treasure Island Residential (TI-R), Treasure Island Mixed Use (TI-MU), Treasure Island Public/Civic/Institutional (TI-PCI), Job Corps, and Yerba Buena Island Open Space (YBI-OS) Zoning Districts; 25-TI, 40-TI, 40-TI/315 Flex Zone-TI, 50-TI, 60-TI, 70-TI/450 Flex Zone-TI, and N/A Height/Bulk Districts
Staff Contact:	Nicholas Foster, AICP, LEEP GA; 628.652.7330; nicholas.foster@sfgov.org

Dear Ms. Short:

This letter addresses the proposed acceptance of public improvements on Treasure Island, located on the following Assessor’s Blocks/Lots: 1939/102, 103, 104, 105, 106, 108, 109, 110, 113, 114, 115, 117, 118, 119, 120, 121, 122, 123, 124, 177, 178, 179; 8902/465; and 8928/001. The public improvements are shown in the plans (“Plans”) for the following:

- Street Improvement Permit (SIP), approved by Public Works Street Use and Mapping on November 6, 2018, under Permit No. 18IE-0941;
- Encroachments located on the above referenced streets that will be Treasure Island Development Authority (TIDA) assets;
- 12kW Distribution Switchyard, approved by Department of Building Inspection on March 10, 2022, under Electric Permit No. E202203108893; and
- Ferry Terminal Improvements, approved by Department of Building Inspection on May 19, 2022, under Building Permit Nos.: 202205184534; 202205184536; 202205184537; 202205184538; 202205184539; 202205184541; and

202205184545.

On April 21, 2011, the San Francisco Planning Commission issued a series of approvals for the Treasure Island/Verba Buena Island Project (Planning Department Records 2007.0903BEMRTUWZ). These approvals actions included certification of the Final Environmental Impact Report (FEIR) through Motion No. 18325, adoption of California Environmental Quality Act (“CEQA”) findings through Motion No. 18326, and adoption of General Plan and Planning Section 101.1 consistency findings through Motion No. 18328.

Planning Department Staff has reviewed the Plans and considered the other actions comprising the Board of Supervisors legislation and finds them consistent with the Planning Commission’s approvals. Therefore, the Planning Department Staff finds that the Board of Supervisors and TIDA Board actions are covered with the scope of the FEIR and the CEQA findings of Planning Commission Motion Nos. 18325 and 18326 and, on balance, consistent with General Plan and Planning Code Section 101.1 Consistency Findings of Motion No. 18328. For purposes of the Board of Supervisors and TIDA Board actions identified in this letter, the Planning Department Staff relies on and incorporates by reference these Planning Commission Motions and their associated findings.

Sincerely,

Nicholas Foster

Nicholas Foster, AICP, LEEP GA
Principal Planner

cc: (via email)

Robert Beck, Treasure Island Director
Treasure Island Development Authority



GENERAL PLAN CONSISTENCY DETERMINATION AND CEQA FINDINGS

November 1, 2023

Ms. Carla Short
Interim Director
San Francisco Public Works
49 South Van Ness Avenue
San Francisco, CA 94103

Project Title: Yerba Buena Island – Acceptance of Public Improvements
Assessor’s Blocks(s)/Lot(s): 1939/016, 019, 084, 085, 087, 090, 091; 8953/006; and 8954/003
Design Review Approval No.(s): 2007.0903BEMRTUWZ
Zoning District(s): Public (P), Yerba Buena Island Open Space (YBI-OS), Yerba Buena Island Mixed Use (YBI-MU), Yerba Buena Island Public/Civic/Institutional (YBI-PCI), and Yerba Buena Island Residential (YBI-R) Zoning Districts; 35-Low Rise YBI, 35-2Y YBI, 75-Mid Rise YBI, and N/A Height/Bulk Districts
Staff Contact: Nicholas Foster, AICP, LEEP GA; 628.652.7330; nicholas.foster@sfgov.org

Dear Ms. Short:

This letter addresses the proposed acceptance of public improvements on Yerba Buena Island, located on the following Assessor’s Blocks/Lots: 1939/016, 019, 084, 085, 087, 090, 091; 8953/006; and 8954/003. The public improvements are shown in the plans (“Plans”) for the following:

- Street Improvement Permit (SIP), approved by Public Works Street Use and Mapping on May 31, 2018, under Permit No. 18IE-0330;
- Encroachments located on the above referenced streets that will be Treasure Island Development Authority (TIDA) assets;
- Water Storage and Pump System (WTS), approved by Department of Building Inspection on July 11, 2017, under Building Permit No. 201603111785; and
- Water Storage and Pump System (WTS), approved by Department of Building Inspection on June 13, 2018, under Building Permit No. 201706300838.

On April 21, 2011, the San Francisco Planning Commission issued a series of approvals for the Treasure Island/Yerba Buena Island Project (Planning Department Records 2007.0903BEMRTUWZ). These approvals actions included certification of the Final Environmental Impact Report (FEIR) through Motion No. 18325, adoption of California

Environmental Quality Act (“CEQA”) findings through Motion No. 18326, and adoption of General Plan and Planning Section 101.1 consistency findings through Motion No. 18328.

Planning Department Staff has reviewed the Plans and considered the other actions comprising the Board of Supervisors legislation and finds them consistent with the Planning Commission’s approvals. Therefore, the Planning Department Staff finds that the Board of Supervisors and TIDA Board actions are covered with the scope of the FEIR and the CEQA findings of Planning Commission Motion Nos. 18325 and 18326 and, on balance, consistent with General Plan and Planning Code Section 101.1 Consistency Findings of Motion No. 18328. For purposes of the Board of Supervisors and TIDA Board actions identified in this letter, the Planning Department Staff relies on and incorporates by reference these Planning Commission Motions and their associated findings.

Sincerely,

Nicholas Foster

Nicholas Foster, AICP, LEEP GA
Principal Planner

cc: *(via email)*

Robert Beck, Treasure Island Director
Treasure Island Development Authority



MYRNA MELGAR

DATE: January 25, 2024

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

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Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request them be considered by the full Board on Tuesday, January 30, 2024, as Committee Reports:

- | | |
|------------------------|--|
| File No. 231245 | Treasure Island/Yerba Buena Island - Street and Public Infrastructure Acceptance - Establishing Official Sidewalk Widths and Street Grades
Sponsors: Mayor; Dorsey |
| File No. 231269 | Treasure Island/Yerba Buena Island - Ferry Terminal and Other TIDA Improvements
Sponsors: Mayor; Dorsey |
| File No. 230859 | Treasure Island/Yerba Buena Island - Delegation Related to Acceptance of Public Parks
Sponsors: Mayor; Dorsey |

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, January 29, 2024, at 1:30 p.m.