[Recommendations concerning City acceptance of 4 Sanitary Sewer Pump Stations]

RESOLUTION TO RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT: (A) APPROVE THE GRANT DEED FOR THE REAL PROPERTY LOCATED ON A PORTION OF YERBA BUENA ISLAND UPON WHICH THE MACALLA SANITARY SEWER PUMP STATION ON MACALLA ROAD HAS BEEN BUILT; (B) APPROVE THE DEVELOPER'S IRREVOCABLE OFFERS FOR FOUR SANITARY SEWER PUMP STATIONS WITH TWO LOCATED ON YERBA BUENA ISLAND, KNOWN AS MACALLA SANITARY SEWER PUMP STATION ON MACALLA ROAD, AND NORTH GATE SANITARY SEWER PUMP STATION ON NORTH GATE ROAD AND TWO ON TREASURE ISLAND, KNOWN AS THE BRUTON SANITARY SEWER PUMP STATION ON BRUTON STREET AND CRAVATH SANITARY SEWER PUMP STATION ON CRAVATH STREET; (C) DEDICATE THE AFOREMENTIONED PUMP STATIONS FOR PUBLIC USE; (D) DESIGNATE THE AFOREMENTIONED PUMP STATIONS FOR UTILITY PURPOSES; (E) ACCEPT THE PUMP STATIONS FOR CITY MAINTENANCE AND LIABILITY PURPOSES, SUBJECT TO CERTAIN CONDITIONS; AND ADOPT ENVIRONMENTAL FINDINGS ASSOCIATED WITH THE AUTHORITY'S ACTIONS.

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

WHEREAS, The DDA contemplates the redevelopment of Treasure Island and Yerba Buena Island (the "**Project**"), including up to 8,000 units of housing, 140,000 square feet of commercial and retail space, 100,000 square feet of office space, and up to approximately 300 acres of parks and open space, a ferry terminal, new and upgraded streets and other public ways,

and extensive bicycle, pedestrian, and transit facilities; and

WHEREAS, Under the DDA, the Developer is responsible for construction of public improvements within the Project, including (i) the Sanitary Sewer Pump Station and associated power generator and other associated pump station equipment on North Gate Road on Yerba Buena Island ("**North Gate Sanitary Sewer Pump Station**"), (ii) the Sanitary Sewer Pump Station and associated power generator and other associated pump station equipment on Macalla Road on Yerba Buena Island ("**Macalla Sanitary Sewer Pump Station**"), (iii) the Sanitary Sewer Pump Station and associated power generator and other associated pump station equipment on Bruton Street on Treasure Island ("**Bruton Sanitary Sewer Pump Station**"), and (iv) the Sanitary Sewer Pump Station and associated power generator and other associated pump station equipment on Cravath Street on Treasure Island ("**Cravath Sanitary Sewer Pump Station**"); and

WHEREAS, All four sanitary sewer pump stations collectively are referenced as the "**Pump Stations Improvements**", and described in the Street Improvement Permit Nos. 19IE-00636 (for the Bruton and Cravath Sanitary Sewer Pump Stations) and 18IE-00680 (for the Macalla and North Gate Sanitary Sewer Pump Stations), and Department of Building Inspection Building Permit Nos. 202211297332, 202211297342, and 202211307357 (for the power generators and electrical and mechanical permits for all the pump stations); and

WHEREAS, As set forth in the Memorandum of Agreement Regarding Ownership and Maintenance of Public Improvements on Treasure Island and Yerba Buena Island between the Authority and the City and County of San Francisco ("**City**"), dated April 26, 2017, upon satisfaction of all conditions to acceptance of the offered improvement, the Authority may accept such improvements completed by Developer that will be Authority responsibility or recommend that the Board of Supervisors accept those improvements that will be City responsibility with the approval of the Authority Board of Directors (the "**Authority Board**") and the Board of Supervisors; and

WHEREAS, Treasure Island Series 1, LLC ("**TI Series 1**"), and Treasure Island Series 2,

LLC ("**TI Series 2**"), affiliates of Developer and partial assignees of the Developer's rights and obligations under the DDA, have prepared irrevocable offers of the Pump Stations Improvements to the City (two related to Treasure Island and recorded on September 13, 2018 and two related to Yerba Buena Island and recorded on April 19, 2018) (the "**TI Series 1 Offer**") and (the "**TI Series 2 Offer**"), respectively (and together, the "**Irrevocable Offers**"), copies of which are on file with the Secretary of this Board and are incorporated herein aby reference; and

WHEREAS, San Francisco Public Works ("**PW**") issued Public Works Order No. 211345 (the "**PW Order**"), confirming that PW has : (1) inspected the Pump Stations Improvements and the City Engineer, by issuance of a series of Notices of Completion, determined them to be complete in substantial conformity with the approved plans, specifications, and applicable City regulations governing the Pump Stations Improvements; and (2) determined that the Pump Stations Improvements are ready for their intended use; and

WHEREAS, In the PW Order, the PW Director recommends, and the City Engineer certifies, to the Authority Board and the Board of Supervisors that the Pump Stations Improvements should be accepted for public use by the City and PW further recommends that the Board of Supervisors acknowledge the Authority's recommendations regarding (i) the City's acceptance of the grant deed and ownership of the real property on a portion of Yerba Buena Island upon which the Macalla Sanitary Sewer Pump Station was built, as more particularly described as Lot G in Final Map No.9228 recorded on April 19, 2018 as Document No. 2018-K602992 (the "**Macalla Real Property**"); (ii) City's acceptance of the Irrevocable Offers for the Pump Stations Improvements; (iii) dedication of the Pump Station Improvements for public use; (iv) designation of the Improvement for public utility purposes; and (v) acceptance of the Pump Stations Improvements for maintenance and liability purposes subject to certain conditions, including the assignment of warranties ("**Assignment of Warranties**"). Copies of the Irrevocable Offers, 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

WHEREAS, The City will own the Macalla Real Property; and

WHEREAS, On April 21, 2011, the City Planning Commission by Motion No. 18325 certified the completion of the Final Environmental Impact Report (the "**FEIR**") for the Project; and

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

WHEREAS, San Francisco Planning Department issued a letter dated December 6, 2024 ("**SF Planning Letter**") that found the Pump Stations Improvements are covered within the scope of the FEIR and are on balance, consistent with the General Plan and Planning Code Section 101.1. A copy of the SF Planning Letter is on file with the Secretary of this Board and is incorporated herein by reference; now, therefore, be it

RESOLVED, The Authority Board relies on the CEQA determination in the SF Planning Letter for purposes of this action and adopts it as its own; and be it

FURTHER RESOLVED, That the Authority Board relies on the findings set forth in the PW Order; and, be it

FURTHER RESOLVED, That the Authority Board recommends that the Board of Supervisors approve the grant deed for the Macalla Real Property; and, be it

FURTHER RESOLVED, That the Authority Board recommends that the Board of Supervisors accept the Irrevocable Offers for the Pump Stations Improvements on behalf of the public, dedicate the Pump Stations Improvements to public use, designate the Pump Stations Improvements for public utility purposes, and accept the Pump Stations Improvements for maintenance and liability purposes, subject to the conditions identified in the PW Order, including the assignment of warranties; and, be it

FURTHER RESOLVED, That the Authority Board authorizes the Treasure Island

Director, in consultation with the City Attorney, to take any and all actions which may be 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 evidenced by the execution and delivery by the Treasure Island Director of the documents.

CERTIFICATE OF SECRETARY

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 February 12, 2025.

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Mark Dunlop, Secretary